App F IX 4

Previous References (1941 Ml) File No 125-41

Serial Nos. 43

I ater References

GENERAL AND REVENUE SECRETARIAT.

Serial Nos

Part B for March 42

SUBJECT

Question of transferring Revenue Lands lying within the Mil Limits to the Mility concerned

Recorded with no present orders

3608/6

GEN & REV SECP
18 DEC 1941

MINISTER FOR LOCAL SELF GOVERNMENT
AND PUBLIC HEALTH

MC 128-41-43 *Bangalore* 17th December 1941

M e m o

A very common representation made by the Town Municipalities during my tour in the Tumkur District was that Government ~~Kharab~~ Resumed lands lying within the Municipal limits may be made over to the concerned Municipalities What are the existing provisions in this behalf? Please note how far their request can be acceded to

17/12/41

Law Secretary)

OFFICE OF THE MINISTER FOR L S G & P H
Dt 18/12/41
No 878

REGY LAW DEPT 21
18 DEC 1941
GOVT OF MYSORE

Question of making over the revenue land lying within the municipal limits to the municipalities concerned

General and Revenue Secretariat | ML File No | of 1911 | [App F III—2

Serial No

Read reference as under Section 50(2) and (e) of the Mysore Town Municipalities Act 1933 wherein it is laid down that all property not being specially reserved by the Govt and all lands and buildings transferred to the Municipality by the Govt or by gift or otherwise for local public purpose", shall be vested in and belong to the Municipal Council Section 46(1)(e) of the Minor Municipalities Act 1933 makes similar provision for lands in Minor Municipalities

2. The lands included within the limits of Municipality may either belong to (1) a local body or (2) Govt or (3) private individuals The mere fact that a particular area is within the municipal limits does not give any right to the municipal council concerned in respect of it as they are only trustees of the property actually entrusted to them within the limits of the Municipalities Concerned

NOTE—Contn Sheet

WD 04155—GPB—55 000—23-10 41

Question of transferring Revenue lands lying within the Municipal limits to the Municipalities concerned

ML File No 3068 of 1941

General and Revenue Secretariat

Serial No

Lands belonging to Govt are being given to Municipalities whenever they are required for public purposes like laying out new extensions or construction of buildings for public institutions when the lands belong to private parties, they are permitted to acquire the same under the Land Acquisition Act. In fact, even in cities like Bangalore there are many lands on which revenue is paid to Govt and are owned by private individuals. There would generally be no difficulty in transferring the Govt lands either assessed waste or unassessed waste, for any particular object of public utility as is being or has been done at present in several Municipalities It is not, however, feasible to transfer all the Govt lands located within the Municipalities to the Municipal Councils concerned

The Revenue Branch may also be consulted

P D.

Kms
27/12/41

27/12

Members' minute - Transfer of Crown revenue lands within M.C. limits to the Municipalities Concerned

General and Revenue Secretariat | File No | of 194 | [App F III-2

Serial No

Section 50 of the Town Municipalities Act dealing with the "Municipal property presupposes two important sequences before a Municipality could come into possession of a land or property -

They are - 1 The land or property shall not be one specially reserved by the Crown

2 The land or property should become vested in the Municipal Council by "Gift or Otherwise

There are the existing provisions that govern the property of the M.C.C.

A sweeping transfer of all Crown revenue lands in the manner requested by the Members Concerns not only the Administrative Convenience but also the financial interests of the Crown

Hon Ble may therefore be requested to peruse before referring the subject to the Land Revenue branch for opinion

29/12/41

Law Secy for Chief Secy

Law Secy for Chief Secy 29/12/41

Asst Secy Revenue Secy for Chief Secy 30/12/41

The Revenue Lands in the Municipal

R 3261

31 DEC 1941

NOTE—Cont Sheet

WD 141 GIB— 000— 3 10 41

File No of 194

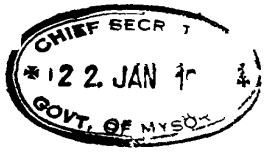
General and Revenue Secretariat

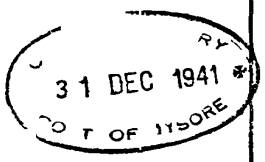
Serial No

Lands are (i) either agricultural lands or (ii) assessed or unassessed lands under the control of the Town Duties. The former, or lands as they are obliged as agricultural land continue to pay L.A. assessment. If they are to be converted into building land, the Dy Commissioner should be informed on payment of the conversion fee & thereafter they become liable to pay Municipal taxes. If such lands are transferred to the Municipality & removed from the operation of the L.A. Code, the owners get an indefinite & the first place the chance of recovering the conversion fee.

As regards the assessed & unassessed waste also, the land is valuable from the point of view of sport as by its sale as building land Govt can realise a decent amount. If & the land is laid out into a proper extension & the land is sold in small blocks there is no practical objection in such cases for the Municipality making a profit on the lands may however

Serial No





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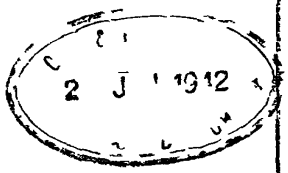
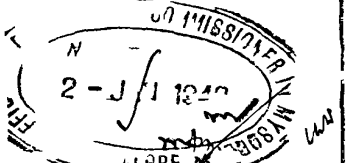
2/1/42





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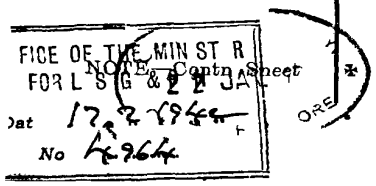

NOTE—Contn Sheet

The matter was to the Revenue Member to be held in abeyance for some time as a number of extensions are formed, the above regulations after making all changes should be considered by Govt

The RC may also be consulted

31/12/41

Forwarded with compliments to the Revenue Commissioner for his remarks

2/1/42

The proposal is not feasible The present practice of waiving the conversion fine, in case the lands are utilised for extensions and if the Municipality does not make any profit, may however continue

Retured with compliments

Revenue Commissioner
29/1/42

Note Memo dt 17/12/41

Memo dt 8/1

A may be done by the

File No 3608/A 3261 of 194 | General and Revenue Secretariat

Serial No

Rao Bahadur is agreeable

17 2 42

OFFICE OF THE FOR-F ... 19 FEB 1942 No 4928

Rao Bahadur January ... 18/2

It is not possible to make any general rule - Non Descriptive Judicial Cases may be sent up to Govt for orders of the Govt may be sympathetically Considered

Ptll
21 2 42

5096
24 2 42

Minister & S)

23/2

3 3 42

4/3 Sec

(L S & Bar Minister)

Mr H H S

for orders of this may be recorded now in this Branch

Sub for perusal before receiving

Sec 20/3/42

Law Secy) Chief Secy

SECY TO GOVT OF MYSORE

18/3/42